

**To receive the Daily News Digest in your inbox, email R6Press@epa.gov.*

1 — DEQ postpones public hearing on proposed barge-cleaning business after Kip Holden, F. King Alexander express concerns, Advocate, 7/10/2015

<http://theadvocate.com/news/12870683-123/holden-alexander-call-on-deq>

With concerns now being voiced by the LSU President and the Mayor-President of Baton Rouge, the state Department of Environmental Quality has decided to postpone a public hearing and extend public comment on a proposed barge cleaning facility along River Road. The public hearing will now be held at 6 p.m. Aug. 18 in the Oliver Pollock Room in the Galvez Building at 602 N 5th St. The public comment has been extended to Aug. 31.

2 — After Hurricane Katrina, a look at New Orleans' uneven recovery among its neighborhoods, NOLA Advocate, 7/13/2015

<http://www.theneworleansadvocate.com/Katrina>

Drive through the Marigny and Bywater neighborhoods and you'll be hard-pressed to find an unoccupied home, save for a few straggling properties being fixed up for sale in a super-hot real estate market. But just across the Industrial Canal, it's a different story in many places. There, you'll find a scattering of houses looking like the teeth of a jack-o'-lantern on broken streets lined with weed-choked lots.

3 — Letter to the editor: PSO not the only one blowing smoke, Tulsa World, 7/13/2015

http://www.tulsaworld.com/opinion/letters/letter-to-the-editor-psy-not-the-only-one-blowing/article_dbbaecb5-5b73-50f5-9637-31d4995c5bae.html

AEP-PSO is hurting bad from having to clean up its plants because of that mean ol' EPA. It is hurting so bad, that from July, 5, 2009, to July 5, 2015, its stock only has gone up from \$28.28 a share to \$54.23 a share. It is hurting so bad, it has no recourse but to raise rates in Oklahoma by \$14 a month.

4 — Hotel's seller fined day after city deal, Ark. Online, 7/11/2015

<http://www.arkansasonline.com/news/2015/jul/11/hotel-s-seller-fined-day-after-city-dea/?f=news-arkansas>

A day after the Hot Springs Board of Directors accepted a counteroffer to purchase the Majestic Hotel complex, its seller was fined \$3,000 in Garland County District Court for six building code violations on the property that he likely will not have to pay. Garrison Hassenflu, incorporator of Park Residences Development LLC, which owns the Majestic Hotel complex, pleaded no contest to the violations, City Attorney Brian Albright said Wednesday.

5 — Repeal the ethanol mandate, San Antonio Express, 7/12/2015

<http://www.mysanantonio.com/opinion/editorials/article/Repeal-the-ethanol-mandate-6378143.php>

When the Renewable Fuels Standard was expanded in 2007 to mandate the mixing of ethanol into fuel, the hope was it would decrease oil consumption, improve our environment and help the economy. That hasn't happened. The reality is the ethanol mandate has hurt the environment and the economy. It's raised food prices and served as agriculture welfare. The country would best be served by repealing this failed policy.

6 — OSHA labels DuPont 'severe' safety violator, WV Gazette, 7/10/2015

<http://www.wvgazette.com/article/20150710/GZ01/150719923>

Federal officials this week labeled DuPont Co. a "severe violator" of worker safety rules, after uncovering more safety problems in an investigation launched following a massive toxic gas leak that killed four workers at the company's La Porte, Texas, plant last November.

7 — Texas Brine shifts blame to Occidental Petroleum, others for causing Bayou Corne sinkhole, Advocate, 7/10/2015

<http://theadvocate.com/news/ascension/12870889-123/texas-brine-shifts-blame-to>

Texas Brine Co., beset by a series of lawsuits blaming it for the Bayou Corne sinkhole disaster, is seeking \$100 million in damages from Occidental Petroleum Corp., claiming that the worldwide oil driller caused the now 31-acre hole in the south Louisiana swamp. The claim, made Thursday in Assumption Parish through a series of suits filed in ongoing sinkhole litigation, puts forward a theory for the sinkhole's beginning that tries to deflect any liability for Texas Brine and partly contradicts the official theory of the sinkhole's appearance in early August 2012.

8 – Emails Reveal Fallin Didn't Want To Face Connection Between Quakes, Oil Industry, NPR, 7/10/2015

<http://stateimpact.npr.org/oklahoma/2015/07/10/emails-reveal-fallin-didnt-want-to-face-connection-between-quakes-oil-industry/>

In November 2011, a 5.7-magnitude earthquake struck near Prague, Okla., causing significant damage and injuring two people. Right away, the possibility that the disposal of wastewater by injecting it deep into the earth — part of the hydraulic fracturing process — was to blame came up.

9 Katrina Levee Exhibition and Garden to be unveiled Saturday in Filmore Gardens, New Orleans Times-Picayune, 7/10/2015

http://www.nola.com/environment/index.ssf/2015/07/katrina_levee_exhibition_and_g.html

An empty lot adjacent to a London Avenue Canal floodwall that failed during Hurricane Katrina will be unveiled Saturday (July 11) as an outside museum and rain garden aimed at explaining how New Orleans flooded during the storm. Sponsored by Levees.org, Growing Green and the Filmore Gardens Neighborhood Association, the Levee Exhibition and Garden at 5000 Warrington Dr. in New Orleans includes six museum-quality panels that detail the history behind the failure of segments of the New Orleans levee system during Katrina, said Sandy Rosenthal, founding director of Levees.org.

10

Letters to the editor: Climate change action ignores common sense, Conroe Courier, 7/12/2015

http://www.yourhoustonnews.com/courier/opinion/climate-change-action-ignores-common-sense/article_62bae5ff-e0fe-5e57-a3fa-50474eee1d8a.html

In another example of poor decision making under our president, the government is finalizing plans to spend over half a billion dollars to fund solar installations for houses of low- and moderate-income citizens. This, of course, is through issuance of another executive order to modify existing programs rather than through our elected Congress.

11 — EPA chief: Climate plan on track despite mercury ruling, WVUE, 7/11/2015

<http://www.fox8live.com/story/29493053/epa-chief-climate-plan-on-track-despite-mercury-ruling>

A Supreme Court ruling that undermined a federal rule targeting mercury pollution will not affect the Obama administration's plan to limit greenhouse gas emissions to slow the effects of global warming, the head of the Environmental Protection Agency said Tuesday. EPA Administrator Gina McCarthy said she was disappointed with last week's court ruling, but said comparing the mercury rule to the nearly finalized climate plan is "comparing apples and oranges."

12 — The EPA's New Clean Water Rule and Why Agribusiness Wants to Overturn It, Modern Farmer, 7/13/2015

<http://modernfarmer.com/2015/07/the-epas-new-clean-water-rule-and-why-agribusiness-wants-to-overturn-it/>

The rule, which is set to go into effect on August 8, is aimed at clarifying exactly which bodies of water the EPA has jurisdiction to regulate, a question that has produced a long series of court cases ever since the Clean Water Act (CWA) was adopted 43 years ago. Understanding the legal nuances involved in these ongoing battles requires first understanding the legal umbrella under which the water resources of the United States are held. "Waters of the United States" is a legal term that goes back to the U.S. Constitution and underlies the ideological battle being waged today.

DEQ postpones public hearing on proposed barge-cleaning business after Kip Holden, F. King Alexander express concerns

LSU president opposes site on health risks

By AMY WOLD

awold@theadvocate.com

UPDATE:

With concerns now being voiced by the LSU President and the Mayor-President of Baton Rouge, the state Department of Environmental Quality has decided to postpone a public hearing and extend public comment on a proposed barge cleaning facility along River Road.

The public hearing will now be held at 6 p.m. Aug. 18 in the Oliver Pollock Room in the Galvez Building at 602 N 5th St. The public comment has been extended to Aug. 31.

Requests to postpone the public hearing set for next week and give additional comment time began Tuesday during a public meeting set up by the Louisiana Environmental Action Network and LSU Superfund Research Center Community Engagement Core.

Original story:

LSU's president and Mayor-President Kip Holden have called on the state Department of Environmental Quality to grant more time for public comment on a proposed barge-cleaning facility along River Road.

No decision was made Thursday, but DEQ spokesman Greg Langley said the requested delay is under review and could be decided Friday. The public comment period is set to end by 4:30 p.m. on Thursday, July 16.

Requests to postpone a public hearing set for next week and give more time to comment began Tuesday during a public meeting set up by the Louisiana

Environmental Action Network and LSU Superfund Research Center Community Engagement Core.

“The number of entities and people that could be impacted both health-wise and economically is astronomical,” Holden wrote. “Granting a permit to this company has dire consequences, many of them not known at this time.”

Holden asked that the public hearing be pushed back for 30 to 60 days to allow more time to gather information.

LSU President F. King Alexander joined in the growing chorus Thursday, saying LSU opposes the permit.

“The proposed site is very close to the residences of hundreds of our faculty, staff and students, as well as the athletic and intramural venues that host thousands,” Alexander wrote in a statement. “Our concern is the potential for possible toxic releases from the facility, which could pose a serious health risk to the LSU community.”

Tubal-Cain Marine Service applied for a permit last year to build and operate a barge-cleaning facility on the river side of the Mississippi River levee near the Farr Park Equestrian Center. Although the facility would release air pollution, it would be at a low enough level to classify the facility as a “minor source.”

A lawyer representing a nearby landowner alerted residents to the proposed permit. Residents, BREC representatives, the LSU Faculty Senate and others made comments or asked for more information from DEQ.

According to the permit application, the facility would bring in barges to a docking area and pump out remaining liquid to temporary storage tanks. Fumes from the barges would be sent to an enclosed flare.

The facility expects to annually release 10 tons of nitrogen oxide, 49 tons of carbon monoxide and 15 tons of volatile organic compounds.

As of Thursday evening, the DEQ public hearing is set to start at 6 p.m. Tuesday in the Oliver Pollock room of the Galvez Building, 602 N. Fifth St., Baton Rouge.

Follow Amy Wold on Twitter, @awold10.

After Hurricane Katrina, a look at New Orleans' uneven recovery among its neighborhoods

BY JEFF ADELSON |
JADELSON@THEADVOCATE.COM

Drive through the Marigny and Bywater neighborhoods and you'll be hard-pressed to find an unoccupied home, save for a few straggling properties being fixed up for sale in a super-hot real estate market. But just across the Industrial Canal, it's a different story in many places. There, you'll find a scattering of houses looking like the teeth of a jack-o'-lantern on broken streets lined with weed-choked lots. While the region as a whole has emerged from the decade since the 2005 flood with an impressive 94 percent of the population it had before the storm, a closer look at the recovery

CATEGORIES

Hurricane Katrina transformed New Orleans, the region's makeup after unrivaled exodus in U.S.

BY JEFF ADELSON

Painter was ir after Katrina 1 ordinary musi dreamscapes

MARK GUARINO
SPECIAL TO THE
ADVOCATE

The flooding that followed Hurricane Katrina put 80 percent of New Orleans underwater. That included the majority of homes and below

ARTICLES

PHOTO
GALLERIES

VIDEOS

IN
THE WAKE
OF THE
STORM

KATRINA
FIRSTHAND

Katrina firsthand: Orleans firefighter the good had

THANK

YOU
NOTES



ADVOCATE

On May 25,
2006, New
Orleans
firefighter

**Ocean Springs
counselor
recalls the grief** **Wholesale
makeover of
New Orleans**

she felt after
losing all of her
family
memorabilia in

schools after
Katrina sows
impressive
progress, hitting

Gerald Seidell sat
down for an
interview with
Veronica Ordaz,
of Brooklyn, New York. At 56, Seidell had started

PHOTOS: SOCIAL
NETWORKS FORCED TO
SCATTER AFTER KATRINA,
SOME NEVER REGROUP

Composer Terence
Blanchard
transformed anger,
hurt and despair after
Katrina into Grammy-
winning album

Katrina scattered
New Orleans'
entrenched social
networks far and
wide as census says
nearly 100,000 fewer
black residents after

Katrina firsthand: Delgado

instructor tells son of struggle to reclaim her old life after storm

MARK GUARINO SPECIAL TO THE
ADVOCATE

The roots of Melanie Deffendall's family go deep in New Orleans. Her ancestors arrived in the city in 1721 and generations since have stayed put. Before Katrina hit and the levees broke, she was enjoying a life she had established in Gentilly Woods: gardening, enjoying her home and teaching at nearby Delgado

Community College. On May 5, 2006, her son, Benjamin

Water bottles inspire artist's work after Katrina

MARK GUARINO SPECIAL TO THE
ADVOCATE

The many shapes and symbols to emerge from Hurricane

PHOTOS: CONTROVERSY
SURROUNDED THE
REBUILDING OF NEW
ORLEANS AFTER KATRINA

Katrina
rebuilding
debate carried
hard choices,

Katrina
manifesto still
resonates a
decade later

Thank You Notes

The only thing more stunning than the devastation wrought by Hurricane Katrina was the outpouring of generosity that followed it – the individuals, charities and organizations of all stripes that pitched in to set a reeling city back on its feet. To mark a decade since the storm, we are inviting readers to write thank you notes to those who helped them in both large and small ways. If you are willing to have your letter published in the paper, please include your name and where you live.

- [Live](#)
- [Comment](#)
- [Back](#)
- [Settings](#)
- - [Share](#)
 - [Facebook](#)
 - [Twitter](#)

No file chosen

Quick Log-In

Or Sign In With



In the Wake of the Storm

In recognition of the 10-year anniversary of Hurricane Katrina, The Advocate will feature stories about works of art – visual, musical and literary – that were inspired by the storm and created in its wake.

Composer
Terence
Blanchard
transformed
anger, hurt and
despair after
Katrina into
Grammy-
winning album

Artist used
brush to move
past Katrina's
destruction

Painter was
inspired after
Katrina to place
ordinary
musicians in
dreamscapes

Katrina Firsthand

This summer, The
Advocate will present

first-person accounts of people who experienced Hurricane Katrina and its aftermath. The series is in partnership with StoryCorps, a national nonprofit whose mission is to provide Americans of all backgrounds and beliefs with the opportunity to record, share and preserve the stories of their lives. The selected oral histories were mostly recorded in 2006, when Katrina survivors were in the early stages of coping with the disaster.

Ocean Springs counselor recalls the grief she felt after losing all of her family memorabilia in Katrina

Katrina was the backdrop to a profound loss

Katrina firsthand: Delgado instructor tells son of struggle to reclaim her old life after storm

CONTRIBUTORS



JEFF ADELSON



MARTHA
CARR



MARK
GUARINO



DAVID
HAMMER



ELIOT
KAMENITZ



BOB
MARSHALL



EMMETT
MAYER



JOHN
MCCUSKER



JIM MUSTIAN



BRUCE NOLAN



SARA
PAGONES



DENNIS
PERSICA



KATY



GORDON



NICHOLAS



JOHN



RICKY



SCOTT

RECKDAHL

RUSSELL

SCHEURICH

SIMERMAN

THOMPSON

THRELKELD



ANDREW
VANACORE



JAQUETTA
WHITE

AdChoices

Copyright © 2015, Capital City Press LLC

7290 Bluebonnet Blvd., Baton Rouge, LA 70817

(225) 383-1111

All Rights Reserved

Letter to the editor: PSO not the only one blowing smoke

Jim Hogan, Tulsa | Posted: Monday, July 13, 2015 12:00 am

AEP-PSO is hurting bad from having to clean up its plants because of that mean ol' EPA.

It is hurting so bad, that from July, 5, 2009, to July 5, 2015, its stock only has gone up from \$28.28 a share to \$54.23 a share. It is hurting so bad, it has no recourse but to raise rates in Oklahoma by \$14 a month.

Forget about the fixed-income elderly. Forget about the young asthmatics. "Think of shareholders. Think of the poor shareholders." The Tulsa World editorial board seems to be blowing smoke too ("Rates to go up," July 5).

Phew, AEP-PSO, smells like sulfur to me.

Jim Hogan, Tulsa



ArkansasOnline

76°
Little Rock

Search ArkansasOnline

[Home](#) [News](#) [Obituaries](#) [Business](#) [Entertainment](#) [Sports](#) [Photos](#) [Videos](#) [Features](#) [Events](#) [Classifieds](#) [Jobs](#) [Homes](#) [Autos](#)
[Crime](#) [Right2Know](#) [Archives](#) [Submit a News Tip](#) [Whole Hog Sports](#) [Sync Weekly](#) [Arkansas Life](#) [Place an Ad](#) [Arkansas Daily Deal](#)

Heat Advisory

...Heat advisory remains in effect

Monday, July 13, 2015, 7:42 a.m.

TOP PICKS

Capture Arkansas
Upload photos and
vote for your favorites
in the Capture Arkansas
contest.

[Home](#) / [News](#) / [Arkansas](#) /

Hotel's seller fined day after city deal

Majestic Hotel cited in 6 violations

By Don Thomason

This article was published July 11, 2015 at 3:32 a.m.

[Comments](#)[Font Size](#)

HOT SPRINGS -- A day after the Hot Springs Board of Directors accepted a counteroffer to purchase the Majestic Hotel complex, its seller was fined \$3,000 in Garland County District Court for six building code violations on the property that he likely will not have to pay.

Garrison Hassenflu, incorporator of Park Residences Development LLC, which owns the Majestic Hotel complex, pleaded no contest to the violations, City Attorney Brian Albright said Wednesday.

"The fines will be \$500 per count, plus court costs, unless we close on the contract to purchase the Majestic Hotel. If we close on the contract, the fines will be zeroed out," Albright said, adding that the sentence will be suspended for 30 days to allow for the closing to take place.

The Hot Springs Board of Directors accepted a counteroffer made Tuesday by Park Residences to pay \$680,000 against the purchase price of \$2,032,000 for the property, with the \$1,352,000 difference being considered a donation from the seller to the buyer.

The original request from Park Residences was for the city to pay \$680,000 for the property, which the Hot Springs Board of Directors approved at a special meeting called July 2. Instead of accepting that offer by a deadline of 5 p.m. Tuesday, Park Residences made the counteroffer at 4:15 p.m.

Cynthia Stone, with The Arc of Arkansas, said Hassenflu paid "a nominal" amount a few years ago for the property, which The Arc had unsuccessfully attempted to convert into an apartment complex for a few years.

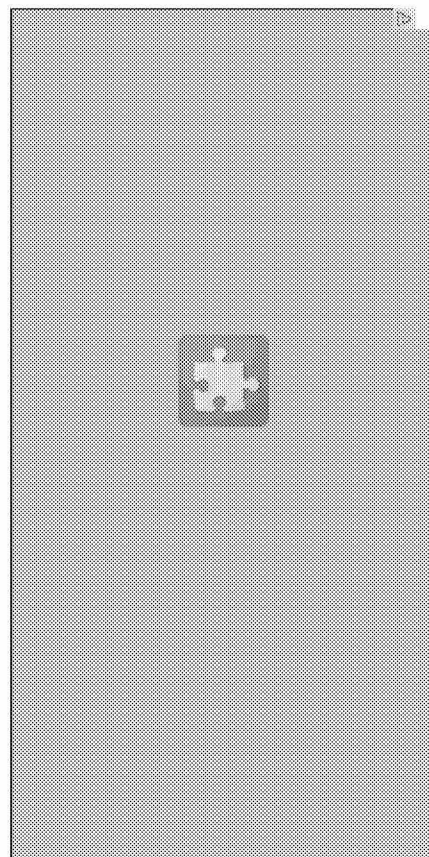
"We were just not able to do it and wanted to get out from under the liability," Stone said Wednesday.

The "yellow brick" portion of the complex burned on Feb. 27, 2014, and was razed on Feb. 28 and March 1 in the interest of public safety. That building was condemned by the city board in March 2014 and the remaining structures were condemned earlier this year.

A cleanup plan of the razed building was approved by the Arkansas Department of Environmental Quality late last year, but none of the debris was removed. The owner was also previously cited for several code violations regarding the buildings and admitted that they were unsafe.

In addition to zeroing out the six fines levied against Hassenflu on Wednesday, a condition of the sale includes being released upon closing from any environmental liabilities by the state environmental agency, the U.S. Environmental Protection Agency and the city regarding a portion of the property.

Under the terms of the Park Residences offer, the seller will furnish a policy of title insurance in the amount of the purchase price, and taxes and special assessments due on or before closing will be paid by the seller. Insurance, current general taxes and special assessments shall be prorated as of the closing.



MOST POPULAR

Viewed

Commented

[Off the Wire](#)[Today's Newspaper](#)[Sports](#)[Opinion and Letters*](#)[Ex-student says state liable for fingers injured in musical-chairs exercise](#)[Sports*](#)

SHOPPING

[Arkansas Daily Deal](#)

All fixtures and attached equipment, if any, and any other items bolted, nailed, screwed, buried or otherwise attached to the real property in a permanent manner are included in the purchase price, and the property is being purchased in an "as is" condition. Any risk of loss or damage to the property by fire or other casualty occurring prior to the closing is assumed by the seller.

The city issued a statement late Wednesday that "would-be trespassers or vandals are cautioned against entering the Majestic Hotel complex, removing anything from within its perimeter, or damaging the property in any way."

City officials said several city departments received phone calls Wednesday from residents asking about either buying or taking items from the property.

"Trespassing has also recently taken place, along with windows being broken by rock throwers. Criminal mischief, criminal trespassing, and commercial burglary are offenses that carry fines and/or jail time if convicted," officials said in the statement.

Also Tuesday, Mayor Ruth Carney shared an email exchange with *The Sentinel-Record* that suggests a company, Sari & Co., could take on the revitalization of the Majestic Hotel.

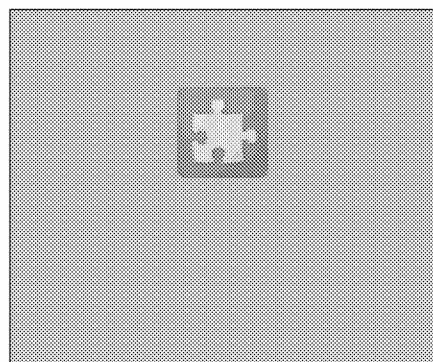
The company, according to the email, has an \$18 million redevelopment deal in Shreveport and a \$12 million redevelopment deal in Texarkana, Texas. The Texarkana deal involves Hotel Grim, a building in "much worse condition" than the Majestic Hotel, according to the email.

State Desk on 07/11/2015

Print Headline: Hotel's seller fined day after city deal

Tweet 0 8+1 0

Recommend Share Sign Up to see what your friends recommend.



More Arkansas

- Ballot positions picked for school board race...
- U.S. Marshals museum gets \$25,000 grant
- UAPB nurse program OK'd
- Sex offender gets 26-year sentence
- Hotel's seller fined day after city deal
- Funeral home board reviews new complaint at C...
- Suspect charged in 5 LR burglaries
- Pickup driver dies in head-on crash
- Delta teacher plan at UAM advances

More Arkansas stories >

Sponsored Links by Taboola

You May Like

How This Razor is Disrupting a \$13 Billion Industry
Dollar Shave Club

5 Highest-Paying Miles Rewards Cards For Good Credit
LendingTree

Ever Looked Yourself Up? New Site Reveals ALL!
Instant Checkmate Subscription

8 Things You Didn't Know About Sense8
Fame10.com

Clinton Presses New Hampshire Retiree In Awful Display
Stansberry Research

Warren Buffett Just Gave Americans a Big Warning
The Motley Fool



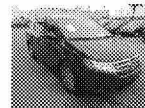
2 to 4 nights Lodging + \$10 in Outback Steak & Oyster Bar and \$10 in Outback Pub starting at \$88

Real Estate



Jacksonville; 2,577 sq/ft; (4 BD, 2 BA) \$299,900; Staci Medlock - Crye-Leike REALTORS NLR Branch
Search 17,962 homes

Autos



2013 Honda Odyssey
\$28,748; 32004 miles
Russell Honda
Search 727 vehicles

FEATURED JOBS

07.11.15 | Russellville, AR

Pharmacist
OUACHITA CO MED CENTER
07.11.15 | Camden, AR

Faculty/Instructors
COLLEGE OF THE OUACHITAS
07.11.15 | Malvern, AR

Chief of Police
CITY OF MALVERN, AR

Calendar

(<http://arkansasonline.com/eventcaler>)

Eagles "History of the Eagles"
Verizon Arena | North Little Rock, AR
JUL 27 (<http://arkansasonline.com/eventcaler>)
HISTORY-OF-THE-EAGLES/1520440/2015-07-27T20)

Art in the Park
Wildwood Park | Little Rock, AR
MON 13 (<http://arkansasonline.com/eventcaler>)
IN-THE-PARK/1528157/2015-07-13T00)

Baseball Regional Tournament
Bishop | Bryant, AR
MON 13 (<http://arkansasonline.com/eventcaler>)
REGIONAL-TOURNAMENT/1522624/2015-07-



DIGITAL MARKETING

Search Local Businesses

- Central Arkansas Auto Sales
- Central Arkansas Banking
- Central Arkansas Beauty Care
- Central Arkansas Dentists
- Central Arkansas Florists
- Central Arkansas Insurance
- Central Arkansas Lawyers
- Central Arkansas Movers
- Central Arkansas Physicians
- Central Arkansas Restaurants
- Central Arkansas Real Estate

And The Most Expensive Home In Hollywood Belongs To...
Lonny

Drivers Can't Believe They Didn't Know This New Rule
Provide-Savings Insurance Quotes

We Recommend

by Taboola

Hot Springs makes offer to buy Majestic

Eureka Springs: Raze school

Historic Rogers hotel purchased June 30

Pay rising for county district's teachers

Greece's premier requests new deal

The World in Brief

Hot Springs lawyer, brother enter innocent pleas

Injured man who tried to enter Air Force base dies

Comments on: Hotel's seller fined day after city deal

To report abuse or misuse of this area please hit the "Suggest Removal" link in the comment to alert our online managers. Read our [Terms of Use](#) policy.

You must login to make comments.

Login

Register

Subscribe Now



TOP PICKS

Capture Arkansas
Upload photos and
vote for your favorites
in the Capture Arkansas
contest.



ArkansasOnline

[Home](#) [News](#) [Obituaries](#) [Business](#) [Entertainment](#) [Photos](#) [Videos](#) [Features](#) [Events](#) [Classifieds](#) [Jobs](#) [Real Estate](#) [Autos](#) [Daily Deal](#)

| NEWS | SPORTS | FEATURES cont. | WEB EXTRAS cont. | CONTACT cont. | PUBLICATIONS |
|-------------------|--------------------------|----------------------|---------------------|------------------------|----------------------|
| Today's Newspaper | Arkansas Sports | ActiveStyle | Archives | Advertising | Sync |
| Arkansas | Whole Hog - Razorbacks | Music | Videos | Newspaper Staff | Tri Lakes |
| Obituaries | Preps | Family | Photo Galleries | Website Staff | Three Rivers |
| Opinion / Letters | Recruiting Guy Blog | Food | Fixit Pothole Map | Internships | River Valley & Ozark |
| National | LR Marathon | Dining Out | War Casualties | Terms of Use | Arkansas Life |
| Politics | College sports galleries | The Dish | Democrat-Gazette | SUBMIT | Special Sections |
| Elections | Preps sports galleries | Find a Restaurant | History | News Tip | Where We Live |
| World | AP Sports | MovieStyle | Arkansas Links | Event or Meeting | CLASSIFIEDS |
| Religion | College Football | HomeStyle | Support Groups | Letter to the Editor | Classifieds |
| Offbeat | NFL | Television | Blogs | Honor/Achievement | Jobs |
| Sister Papers | NBA | Travel | Facebook | Wedding/Anniversary | Real Estate |
| Weather | MLB | High Profile | Twitter | PROMOTIONS | Auto |
| Print Edition | PGA | Weddings/Engagements | CONTACT | Democrat-Gazette Store | Jobs with Us |
| BUSINESS | NASCAR | WEB EXTRAS | FAQ/Contact Us | Bridal Show | ADVERTISING |
| Business | Tennis | E-mail Updates | Forgotten Password? | Capture Arkansas | Advertise with us |
| Business wire | FEATURES | Right2Know | Subscriber Help | Spelling Bee | |
| Tech wire | Events Calendar | Databases | Newspaper Delivery | | |
| Arkansas stocks | Event Photos | Documents | Corporate | | |
| Markets | | | | | |

Copyright © 2015, Arkansas Democrat-Gazette, Inc.

All rights reserved.

This document may not be reprinted without the express written permission of Arkansas Democrat-Gazette, Inc.

Material from the Associated Press is Copyright © 2015, Associated Press and may not be published, broadcast, rewritten, or redistributed. Associated Press text, photo, graphic, audio and/or video material shall not be published, broadcast, rewritten for broadcast or publication or redistributed directly or indirectly in any medium. Neither these AP materials nor any portion thereof may be stored in a computer except for personal and noncommercial use. The AP will not be held liable for any delays, inaccuracies, errors or omissions therefrom or in the transmission or delivery of all or any part thereof or for any damages arising from any of the foregoing. All rights reserved.

Repeal the ethanol mandate

EXPRESS-NEWS EDITORIAL BOARD : JULY 12, 2015

ADVERTISEMENT

Diesel Generators

powertechgenerators.com/

All Fuel types 3kW-320kW Generating Power to the World

When the Renewable Fuels Standard was expanded in 2007 to mandate the mixing of ethanol into fuel, the hope was it would

E-mail

Print

Recommend

8

Tweet

35

g+

0

0

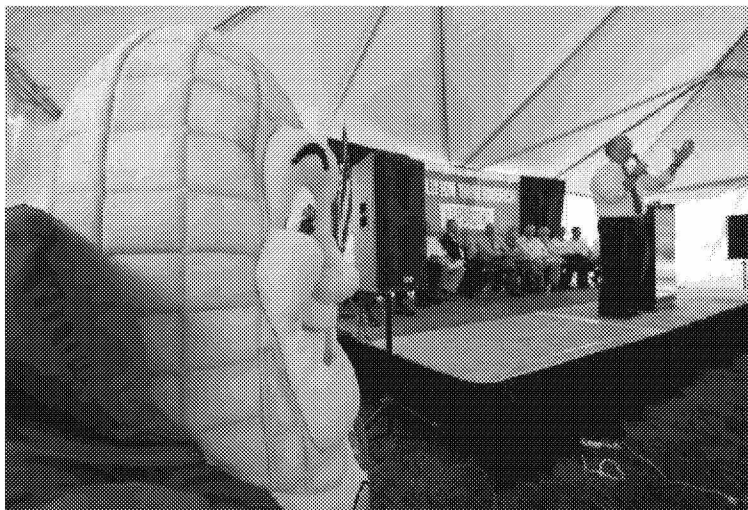


Photo By DAVID EULITT /McClatchy-Tribune News Service

An FFA member from Kentucky wears the costume of "Captain Cornelius" at a pro-ethanol mandate conference. The policy is a failure and blatant giveaway to the agriculture industry.

Recent Headlines

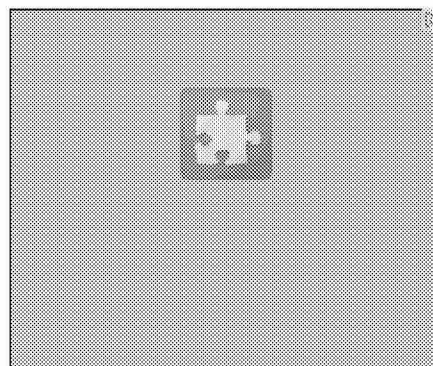
Learn history before sanitizing it

NEISD should change Lee High School's name

Repeal the ethanol mandate

Congrats to the U.S. women's soccer team

Your Turn: July 13



decrease oil consumption, improve our environment and help the economy.

That hasn't happened. The reality is the ethanol mandate has hurt the environment and the economy. It's raised food prices and served as agriculture welfare. The country would best be served by repealing this failed policy.

A giveaway to big agriculture, the ethanol mandate is premised on a number of faulty assumptions.

It assumed that that gasoline consumption would continue to grow, failing to account for more fuel-efficient cars, and that the Great Recession would restrict driving habits. It also didn't take into account the development of fracking technology that has greatly increased domestic oil production, thereby reducing foreign oil concerns.

There was also an assumption this would be good for the environment. That's not the case.

ADVERTISEMENT

Pipe Marking Wall Chart

duralabel.com

Free wall chart - pipe color coding standards set by ANSI and ASME

Diesel Generators

powertechgenerators.com/

All Fuel types 3kW-320kW
Generating Power to the World

The hope was the mandate would spur the development of carbon-friendly "cellulosic biofuels." These would be fuel sources that don't release carbon dioxide and aren't tied to the food supply. There has been nominal production of cellulosic biofuels.

The mandate has instead led to a boom in corn ethanol, which has led to increased carbon dioxide, which is a key factor in climate change. In a response to a guaranteed market, farmers have plowed millions of acres of prairie to grow corn for non-food usage.

As the Environmental Working Group wrote in a 2014 report: "The intent of the Renewable Fuel Standard was to reduce gas emissions, diminish America's dependence on foreign oil and promote development of advanced biofuels. Instead it has resulted in rapid expansion of corn ethanol production, increasing greenhouse gas emissions, worsening air and water pollution and driving up the price of food and feed."

ADVERTISEMENT

And yet the policy endures — laughably — because of the political importance of Iowa in our presidential election process.

How laughable is the ethanol mandate? The Environmental Protection Agency recently proposed Renewable Fuel Standards for 2014, 2015 and 2016. That's right. The EPA is proposing standards for last year and this year.

Second, the proposed mandate of 17.4 billion gallons of biofuel for 2016 is well below the statutory goal of 22.25 billion gallons. That's because the ethanol mandate has hit the "blendwall."

It's rather simple economics, really. The blend of ethanol in gasoline is set at 10 percent as most vehicles can't handle more. Back in 2007, about half of the gasoline consumed in the U.S. included 10 percent ethanol. But these days, nearly all of it does. The catch is, consumption is down; and it will continue to drop as fuel efficiency improves. Hence, the "blendwall."

Maybe then it's time to stop the mandate. Unless you are growing corn, this policy has been an abject failure.

OSHA labels DuPont ‘severe’ safety violator

By Ken Ward Jr.

Federal officials this week labeled DuPont Co. a “severe violator” of worker safety rules, after uncovering more safety problems in an investigation launched following a massive toxic gas leak that killed four workers at the company’s La Porte, Texas, plant last November.

The U.S. Occupational Safety and Health Administration promised the move would bring closer scrutiny for DuPont facilities around the country, but did not fully explain how agency inspectors would apply the initiative to three dozen facilities — including two in West Virginia — that DuPont last week spun off into a separate company called Chemours.

“OSHA is currently evaluating how to proceed further in this case,” agency spokesman Juan J. Rodriguez said in an email response to questions about the situation.

In May, OSHA had proposed \$99,000 in fines for violations related to the Nov. 15 leak of methyl mercaptan that killed four workers at the Texas facility. On Thursday, agency officials announced another \$274,000 in proposed fines for additional violations OSHA inspectors found in an expanded review at the La Porte operation.

OSHA also said it was adding DuPont to what agency officials call their “Severe Violator Enforcement Program,” or SVEP. An agency press release said the program “concentrates resources on inspecting employers who have demonstrated indifference towards creating a safe and healthy workplace by committing willful or repeated violations, and/or failing to abate known hazards.” The program “also mandates follow-up inspections to ensure compliance with the law,” the release said.

“DuPont promotes itself as having a ‘world-class safety’ culture and even markets its safety expertise to other employers, but these four preventable workplace deaths and the very serious hazards we uncovered at this facility are evidence of a failed safety program,” said David Michaels, the Obama administration’s assistant secretary of labor in charge of OSHA.

Dan Taylor, a DuPont spokesman, said that the company “is disappointed with OSHA’s classification” and would “be working with the agency to understand its decision.”

Jeff Dugas, a spokesman for the Keep Your Promises DuPont campaign, which has been monitoring impacts of the Chemours spinoff, said his organization wanted to take a closer look at how OSHA would be treating the former DuPont facilities now owned by the Chemours.

“It would certainly seem to me that the spinoff should not be an excuse for any recently spun-off DuPont facilities to escape any additional regulatory scrutiny,” Dugas said Friday.

OSHA’s Michaels declined a request for an interview. An agency spokesman said that the “severe violator” designation means that, “When appropriate, OSHA may inspect related worksites of the same employer.”

OSHA did not say what DuPont facilities might be targeted for such inspections, or explain fully if such inspections would also include sites that DuPont recently transferred to the new separate Chemours company.

“Should a facility operated by Chemours appear on an OSHA inspection register, the agency would determine

at that time if the facility is appropriately on the list and therefore subject to inspection,” Rodriguez, the OSHA spokesman, said.

The sites transferred to Chemours include part of the La Porte plant, as well as part of DuPont’s huge Washington Works plant outside Parkersburg and the company’s facility at Belle in Kanawha County.

After the death of a worker in a leak of toxic phosgene gas at the Belle plant in January 2010, officials from the U.S. Chemical Safety Board reported that they had found a “series of preventable safety shortcomings” and warned DuPont to re-examine its safety culture company-wide.

But when OSHA investigated the four deaths last year at La Porte, it cited DuPont for a “repeat violation,” alleging the company did not train employees on the use of a ventilation system and other safety procedures. That violation mirrored one that was issued in the wake of the fatal leak in Belle in January 2010.

DuPont said that this week’s new OSHA citations were issued a result of an agency review of the herbicide and hydrofluoric acid units at the La Porte site.

The company said its own review resulted in a shutdown of the herbicide unit to take “corrective measures” there, but that DuPont determined the hydrofluoric acid unit — which was transferred to Chemours on July 1 — was “safe to operate.”

“We have not had a chance to review OSHA’s finding in detail,” said Turner, the DuPont spokesman. “We will work with the agency to better understand the citations and any further required abatement.”

Reach Ken Ward Jr. at kward@wvgazette.com, 304-348-1702 or follow [@kenwardjr](https://twitter.com/kenwardjr) on Twitter.

Texas Brine shifts blame to Occidental Petroleum, others for causing Bayou Corne sinkhole



Advocate file photo by BILL FEIG -- Looking south, a gravel ramp slopes down into the 32-acre Bayou Corne-area sinkhole on Wednesday, July 30 2014. The lake-like area on land leased to Texas Brine Co. was once a dense cypress forest, sitting over the edge of a huge underground salt deposit known as a salt dome. Underground mining by Texas Brine in a cavern carved inside the salt deposit caused the cavern to have a breach in its supporting wall of salt, shattering and shifting surrounding rock deep underneath this onetime forest as rock flowed into the cavern. The sinkhole, then about 1-acre in size, eventually appeared at the surface in early August 2012. That "slurry hole" of trees and muck was discovered two years ago Sunday, Aug. 3, in the early morning hours as a foul diesel smell permeated the air.

Firm blames Occidental Petroleum for creating 31-acre sinkhole

by David J. Mitchell

dmitchell@theadvocate.com

Texas Brine Co., beset by a series of lawsuits blaming it for the Bayou Corne sinkhole disaster, is seeking \$100 million in damages from Occidental Petroleum Corp., claiming that the worldwide oil driller caused the now 31-acre hole in the south Louisiana swamp.

The claim, made Thursday in Assumption Parish through a series of suits filed in ongoing sinkhole litigation, puts forward a theory for the sinkhole's beginning that tries to deflect any liability for Texas Brine and partly contradicts the official theory of the sinkhole's appearance in early August 2012.

State scientists and a special panel of worldwide experts have said for more than two years that Texas Brine mined a salt dome cavern too close to the dome's outer, supporting wall of salt. A breach opened up in that salt wall and allowed surrounding rock to flood into the massive underground cavity carved from the salt deposit, creating the sinkhole in the cypress swamp near Bayou Corne.

Texas Brine now says an oil well drilled in 1986 near that cavern and operated at the time under Occidental Petroleum's ultimate say was mismanaged and triggered the cavern wall break that sparked the sinkhole.

"Oxy Petroleum's alleged technical expertise did not deliver superior results," the suits say, borrowing from some of Occidental Petroleum's business rhetoric.

"Instead, it delivered the Bayou Corne sinkhole."

James Garner, one of Texas Brine's attorneys, said the \$100 million and counting in damages is for Texas Brine's costs that insurers have not covered.

The new suits put Texas Brine in the position of blaming the corporate parent, Occidental Petroleum, of its longtime business partner, Occidental Chemical Corp., in the failed salt dome cavern, known as Oxy Geismar No. 3.

Texas Brine has leased property over the Napoleonville Dome from Occidental Chemical and mined that cavern and others, in part, to supply brine to OxyChem's plants in Geismar and elsewhere on the Mississippi River. Chlorine from the brine, a mixture of water and salt, is a critical feedstock for those operations.

Occidental did not immediately return an email for comment Thursday.

Texas Brine has been quietly making versions of this claim against Occidental and others involved with the oil well in court for nearly two years as Texas Brine has wrangled with the state, pipeline companies, landowners and a constellation of insurers seeking to recoup from Texas Brine hundreds of millions of dollars in losses over the sinkhole.

Texas Brine also has leveled the charge even as it did not dispute liability as operator of record with state regulators for sinkhole response and cleanup and with former Bayou Corne residents, most of whom have successfully settled suits or private negotiations to be bought out.

But the new court papers from Texas Brine, along with another batch filed recently against oil driller Adams Resources Exploration Corp., operator Browning Oil Co. and other parties involved in the oil well, provide the most detailed account yet of the history of the oil well, known as Hooker No. 1. The papers also raise allegations that Occidental Petroleum knew drilling too close to the salt dome posed a risk for the Texas Brine-managed caverns.

Those claims rely on internal letters and other documents that have emerged during discovery in the series of suits still pending in the 23rd Judicial District Court in Napoleonville.

Oil drilling on top of and along the perimeter of Gulf Coast salt domes has been going on since the infancy of the nation's oil industry.

Louisiana's first oil well was drilled near Jennings in 1901 and went into sediments on top of a salt dome. The solid deposits, which reach down tens of thousands of feet, trap oil and gas along the sides and tops of the salt.

State well maps actually provide a rough idea where many Louisiana salt domes are located because all the wells drilled around the salt deposits form a kind of outline.

Patrick Courreges, spokesman for the state Department of Natural Resources, said he could not comment on the litigation but did say Texas Brine's claim would seem unlikely because many salt domes containing caverns are ringed with wells without signs of similar trouble.

"This would be the only time we have seen this happen ... anywhere in the world, for that matter," Courreges said.

At the same, Courreges and many other officials have said the Bayou Corne sinkhole emerged in a way that has never been seen before.

Joe Brantley, the former majority shareholder in another company caught up in the litigation over the oil well, Mid-America Resources Corp., said his former company got out of the Hooker well before Mid-America ever handled it.

"What they're trying to do is, they're trying shake down everybody and get someone's insurance to pay them money," Brantley said of Texas Brine officials.

He said he sold his company in 2007.

But Texas Brine has unearthed a series of documents to bolster the claim that Occidental knew about the risks of drilling too closely to the salt dome and didn't do enough to protect against them.

The original land lease for the oil well dating from the early 1980s says Occidental Petroleum had to be kept informed about all drilling activity and any damage to the salt would have to be recouped.

Texas Brine also turned up a January 1986 letter from an Oxy Petroleum geologist to an Occidental lawyer and top Texas Brine official James Tichenor Jr. saying “additional restrictions may be necessary to protect Texas Brine’s salt interest.”

Texas Brine says Occidental Petroleum had no additional restrictions on the well, though the company was informed about the well’s progress.

Texas Brine also charges that Occidental Petroleum should have known that oil and gas extraction would cause a pressure drop in the oil formation that posed a risk to the Oxy 3 cavern.

After years of sporadic extraction ended in mid-2001, Texas Brine claims a pressure difference of about 2,000 pounds per square inch existed on the salt wall standing between the depleted oil formation and the pressurized salt dome cavern.

About a year before Texas Brine plugged the well to the problematic Oxy 3 cavern, the Hooker oil well was plugged in May 2010, but Occidental failed to repressurize the oil formation with water or other fluids, Texas Brine says.

This lingering pressure difference combined with possible cracks in the salt that Texas Brine says the earlier oil well drilling caused — suggested by other unearthed documents — led the salt wall to break.

Officials with Adams Resources did not return messages for comment, while an official with Browning Oil referred questions to a lawyer who could not be reached by deadline Thursday.

Follow David J. Mitchell on Twitter, [@NewsieDave](#).

Copyright © 2014, Capital City Press LLC • 7290 Bluebonnet Blvd., Baton Rouge, LA 70810 • All Rights Reserved



Everything New Orleans

Bayou Corne blame game: Texas Brine sues oil company for contributing to sinkhole damage

assumption-parish-sinkhole-08212013.png

The Bayou Corne sinkhole is pictured from a video taken by Assumption Parish officials showing it swallowing several trees in a matter of seconds. (<http://assumptionla.wordpress.com/>)

Emily Lane, NOLA.com | The Times-Picayune By **Emily Lane, NOLA.com | The Times-Picayune**

Email the author | Follow on Twitter

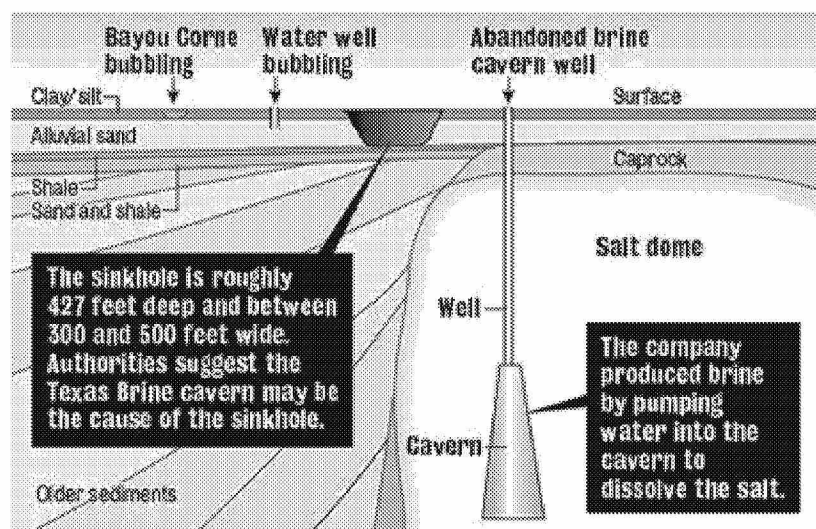
on July 09, 2015 at 6:58 PM, updated July 09, 2015 at 7:04 PM

Texas Brine, the company blamed for causing a **sinkhole** that has swallowed more than 30 acres of trees and land and displaced hundreds of residents in Bayou Corne, is suing an oil company that operated near the site, blaming it for contributing to the damage.

The salt-mining company has been embroiled in litigation with the **state of Louisiana** and as many as 350 residents who were **forced out of their homes** since an underground salt dome collapse in 2012 resulted in the sinkhole. A judge in August **approved a \$48 million settlement** with residents.

Texas Brine filed the lawsuit Thursday (July 9) in Assumption Parish against Occidental Petroleum Corp., saying it should have to cover more than \$100 million in damages that Texas Brine has paid or will have to pay.

The lawsuit accuses the companies of allowing drilling too close to the mostly underground salt mountain where Texas Brine had pumped water to get brine for chemical refineries. Occidental Petroleum did not respond to message left Thursday evening.



"The facts in this case show that there was a high likelihood that the improper drilling and operation of an oil and gas well targeting the Big Hum oil reservoir would damage adjacent caverns in the Salt Dome," James Garner, a partner with Sher Garner, the New Orleans law firm representing Texas Brine, said in a prepared statement.

The lawsuit accuses Occidental of "negligent actions" that "contributed to the appearance of the sinkhole," the statement

says. Given the company's expertise, Garner continued, Occidental "should have known" that depressurizing its well that supported the salt dome "would threaten the structural integrity of both."

Texas Brine also claims to have evidence that Occidental's drill made contact with the salt dome "on at least one occasion."

In its statement, Texas Brine noted the company "has consistently denied legal liability."

Watch the sinkhole swallow trees below.



The Associated Press contributed to this report.

.....

Emily Lane is a news reporter based in Baton Rouge. Reach her at elane@nola.com or 504-717-7699. Follow her on Twitter ([@emilymlane](https://twitter.com/emilymlane)) or **Facebook**.

© 2015 NOLA.com. All rights reserved.



Economy, Energy, Natural Resources: Policy to People

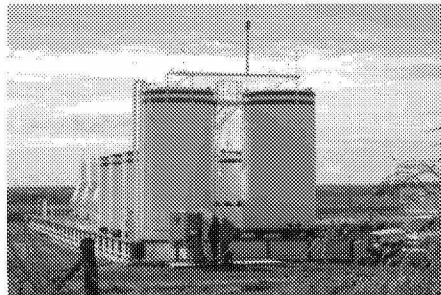
Emails Reveal Fallin Didn't Want To Face Connection Between Quakes, Oil Industry

JULY 10, 2015 | 2:57 PM

BY LOGAN LAYDEN

In November 2011, a 5.7-magnitude earthquake struck near Prague, Okla., causing significant damage and injuring two people. Right away, the possibility that the disposal of wastewater by injecting it deep into the earth — part of the hydraulic fracturing process — was to blame came up.

But *EnergyWire's* Mike Soraghan routed through thousand of emails and documents he got from Fallin's office through the Oklahoma Open Records Act, and found that the governor was in no rush to point the finger at the oil and gas industry:



JOE WERTZ / STATEIMPACT OKLAHOMA

Oil-field workers tend to American Energy-Woodford's Judge South well in November 2014 well shortly after the Oklahoma Corporation Commission ordered it temporarily shut-in.

As she knocked on the federal government's door for aid in the wake of a damaging earthquake in 2011, Oklahoma Gov. Mary Fallin (R) avoided talking about one aspect of the earthquake — its cause.

Too "awkward," said Fallin's communications director, Alex Weintz.

"The problem is, some people are trying to blame hydraulic fracturing (a necessary process for extracting natural gas) for causing earthquakes," Weintz wrote in an email, vetoing mention of the earthquake at an energy conference. "So you see the awkward position that puts us in. I would rather not have to have that debate."

... Her top aide told staffers to "make this go away" when earthquake preparedness came up in the state Legislature after the November 2011 quake. When constituents had questions, her office used talking points borrowed from an oil company. And, with Fallin at the helm, Oklahoma has done far less than other states hit by smaller and less frequent man-made quakes.

But, as Soraghan reports, Fallin has evolved on the earthquake issue since the Prague quake in 2011.

*"As we have gathered more data and the science has evolved, the governor has said that natural causes alone cannot explain the increasing number of earthquakes," Weintz said in a statement provided to *EnergyWire* last week. "As multiple studies have suggested, wastewater disposal wells are likely a contributing factor to increased seismic activity in Oklahoma."*

The story goes on to analyze Fallin's actions at the time compared to other states, like

ABOUT STATEIMPACT OKLAHOMA

StateImpact Oklahoma is a collaboration of KGOU, KOSU, KWGS and KCCU. Joe Wertz and Logan Layden travel the state to report on the intersection of government, industry, natural resources and the Oklahoma workforce. Read our reports and hear our stories on NPR member stations.

[Learn More »](#) [Support StateImpact Oklahoma »](#)

SUPPORT FOR PUBLIC MEDIA:

FEATURED POSTS

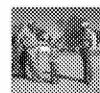
Eastern Oklahoma Coal Mining Comeback Stalls as Demand From China Falls



Debate About Competition and Cost at Senate Panel on Wind Incentives



How a Wind Farm is Helping Save the Family Farm in Western Oklahoma



RECENT POSTS

Emails Reveal Fallin Didn't Want To Face Connection Between Quakes, Oil Industry

Record Rainfall Magnifies Problems For Oklahoma's Aging Flood Control Dams

State Seismologist Austin Holland Leaves

Arkansas and Ohio, which already had shut down disposal operations in certain areas earlier that year. Soraghan also talks state lawmakers, like Rep. Cory Williams (D-Stillwater).

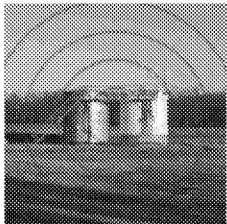
Williams says Fallin has gotten more responsive on the quake issue this year, but he says the Legislature and governor should have increased the flow of money to the regulators and researchers dealing with quakes, instead of cutting their budgets.

"We're choking off the resources to the people who are taking on the problem," he said.

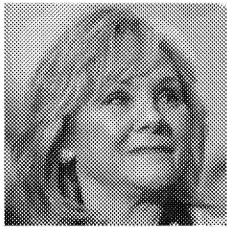
Read the full *EnergyWire* story [here](#).

StateImpact Oklahoma is a partnership among Oklahoma's public radio stations and relies on contributions from readers and listeners to fulfill its mission of public service to Oklahoma and beyond. Donate [online](#).

TOPICS



Exploring the Link Between Earthquakes and Oil and Gas Disposal Wells



Mary Fallin is Oklahoma's Governor and Chief Economic Influencer

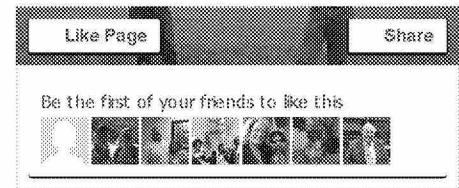
[Disposal Wells](#) [Energy](#) [Fracking](#) [Oil and Gas Boom](#)

COMMENTS

Oklahoma For USGS Job In New Mexico

Record Rains Leave Oklahoma's Inland Seaport Damaged And Dangerous

Oklahoma Attorney General Sues EPA (Again) Over Obama's Clean Power Plan



EMAIL UPDATES

Keep up to date with StateImpact Oklahoma by subscribing to our email updates:

| | |
|--|--|
| <input type="text" value="Email Address"/> | <input type="button" value="Subscribe"/> |
|--|--|



Join the discussion...

John Bakerman • 2 days ago

Fallin - twisting in whichever direction the political winds blow.

Fact is, she never was very good at thinking for herself and she has proven to be an ineffectual leader.

While sister-red-state Texas has been modifying its stance to bring in new businesses, Oklahoma has dwindled as the governor and Republican-controlled legislature does whatever the religious and oil-interests dictate.

We're losing opportunities in the state because of the narrow-minded vision of our so-called "leaders" and Fallin (or is it "Failin"?) is at the top of the heap.

1 ^ | ▾ • Reply • Share ▾

Kansan • John Bakerman • 4 hours ago

Unfortunately, Oklahoma, thanks to Koch money and a black man in the White House, has become increasingly reactionary. Fallin has very few supporters who aren't millionaires, but with that kind of money, she doesn't need popular support.

^ | ▾ • Reply • Share ▾

PREVIOUS POST

← Record Rainfall Magnifies Problems For
Oklahoma's Aging Flood Control Dams

OKLAHOMA

SUPPORT

REPORTERS



Joe Wertz
Reporter



Logan Layden
Reporter

PARTNERS

KGOU
Norman - Oklahoma City
KWGS
Tulsa
KOSU
Stillwater - Oklahoma City
KCGU
Lawton

ARCHIVES

Select Month ▾

View All Topics »



Everything New Orleans

Katrina Levee Exhibition and Garden to be unveiled Saturday in Filmore Gardens

Mark Schleifstein, NOLA.com | The Times-Picayune By Mark Schleifstein, NOLA.com | The Times-Picayune

Email the author | Follow on Twitter

on July 10, 2015 at 4:58 PM, updated July 10, 2015 at 5:38 PM

An empty lot adjacent to a **London Avenue Canal** floodwall that failed during **Hurricane Katrina** will be unveiled Saturday (July 11) as an outside museum and rain garden aimed at explaining how New Orleans flooded during the storm.

Sponsored by **Levees.org**, **Growing Green** and the **Filmore Gardens Neighborhood Association**, the Levee Exhibition and Garden at **5000 Warrington Dr.** in New Orleans includes six museum-quality panels that detail the history behind the failure of segments of the New Orleans levee system during Katrina, said Sandy Rosenthal, founding director of Levees.org.

A ribbon-cutting ceremony is scheduled for 10 a.m. Saturday. More information about the museum and garden will be posted at **Levees.org web site** at that time.

Rosenthal and her organization have led a national campaign since soon after the storm to insure that accurate information is available to the public explaining that the levee and floodwall failures that resulted in the city flooding were part of a man-made disaster, rather than the natural effects of a hurricane.

Officials with the Army Corps of Engineers, which oversaw the design and construction of the hurricane levee system, eventually admitted in 2006 that poor design, improper construction materials and other construction decisions by the corps and its contractors were behind most of the breaches in the system.

But Rosenthal and her group have led a campaign to correct misstatements nationwide about cause of flooding, often demanding corrections from newspapers and other media that refer to the city's flooding as a "natural disaster."

"I won't be able to stand out on a soap box forever," Rosenthal said. "These six exhibit boards will be able to tell the story, even if I'm run over by a Mack truck tomorrow."

Rosenthal said the information on the boards has been peer-reviewed for accuracy by four independent reviewers for Water Policy, the official journal of the World Water Council; by Ivor Van Heerden, former director of the Louisiana State University Hurricane Center; and by Stephen Nelson, a geology professor at Tulane University.

A research paper including information used for the exhibit is being published in August in Water Policy.

The panels also include 40 photos, as well as locator maps designed by Tulane University geography professor Richard Campanella.

The panels are aimed at responding to the most popular myths surrounding flooding during Katrina.

Included are the accurate reasons behind the decision by the Army Corps of Engineers to abandon plans to build gates across the Rigolets and Chef Menteur passes to block storm surge from entering Lake Pontchartrain.

While a federal judge did order the corps to halt work on the project, that order specified that the corps was only required to look at other alternatives, and that its decision to build the gates might be acceptable.

The corps, however, did not return to the court with a more comprehensive plan. In 1980, it instead concluded that higher levees to block storm surge would be less costly, less damaging to the environment and more acceptable to local interests.

Other panels review the history of inspections by local levee district employees of levees and floodwalls before Katrina, and how 34 people died at St. Rita's Nursing Home in St. Bernard Parish.

The London Avenue Canal floodwall failed when surge water pushed through organic soil on the canal bottom and entered a layer of sand, the remains of an ancient course of the Mississippi River. The water in the canal never rose high enough to overtop of the wall.

The water flowed through the sand beneath the floodwall in a process called "pipelining" that left the wall unstable, and it eventually collapsed, allowing water to flow into the Filmore Gardens neighborhood.

Investigators eventually concluded that the I-shaped wall should have been built as a much stronger T-wall, using longer sheet pilings to block water flow beneath it and much longer, diagonal batter piles to keep the wall from falling if it were undermined.

"I'm hoping these exhibits will help the people of New Orleans throw off the cloak of shame" caused by those outside the area questioning why they live in an unsafe city, Rosenthal said. "When enough people tell you something, you tend to believe it. But this exhibit is part of our efforts to get people to don a mantle of pride."

Rosenthal said the idea for the exhibit began a year ago when Gloria Decuir Robert, president of the Filmore Gardens Neighborhood Association called her to point out that the city owned the empty lot and was offering to rent it for \$250 a year as part of the Growing Green program.

"Two days later, I hand delivered the application to the Growing Green organization," she said.

"Through the New Orleans Redevelopment Authority's Land Stewardship program we have been proud to develop creative projects for alternative land use," said Jeff Hebert, NORA's executive director. "But this is possibly the most important use of land left vacant after Katrina, honoring lives lost, property damaged, and the resilience of people that drives our city's recovery."

The rain garden accompanying the exhibit is designed by Master Gardener Calla Victoria, who used native plants. The garden will be maintained by the Master Gardener program. The garden is designed to manage stormwater on the site and to reduce runoff into the city's drainage system.

Parkway Partners also has assisted with the project.

Rosenthal said that before construction of the exhibit began, the city of New Orleans carted away 19 dumpsters of debris that had remained on the lot in the aftermath of the flood.

Under the terms of its agreement to use the land, Levees.org is paying rent of \$250 a year, and if the garden and exhibition pass muster, after two years, it may be allowed to buy the property from NORA.

© 2015 NOLA.com. All rights reserved.

Letters to the editor: Climate change action ignores common sense

Posted: Sunday, July 12, 2015 7:54 pm

To the editor:

In another example of poor decision making under our president, the government is finalizing plans to spend over half a billion dollars to fund solar installations for houses of low- and moderate-income citizens.

This, of course, is through issuance of another executive order to modify existing programs rather than through our elected Congress. It also ignores the fact that an entirely separate, additional “climate change” regulation rewrite is already underway and that rewrite will substantially increase the cost of utilities for everyone, including the low- and moderate-income people who are supposed to benefit from the new revised programs that will provide solar panels. A great example of “the government giveth and the government taketh away.”

The climate change regulations that this administration is finalizing will cause utility costs to rise significantly for all income groups. This especially will hurt the low-income group. As the national Black Chamber of Commerce noted in a new study, these new regulations “would have serious economic, employment and energy market impacts ... and that the impacts on low-income groups, blacks and Hispanics would be especially severe.” The study goes on to state, “The greatest loss of income will be experienced by Hispanics in Texas, since this state has a large and rapidly growing Hispanic population and because this is the state that is most severely impacted by the EPA regulations.”

The president and his administration, that purport to be the champions of low- and middle-income groups, want them to install solar panels through loans and subsidies. This may result in slightly lower utility bills for a few people in these economic groups; but, then the same government is planning to take other climate change action that will result in much higher utility costs to add to their burden and more than wipe out any solar panel cost savings. And this will, at best, achieve a few hundredths of a degree Celsius change in the Earth’s temperature.

Summer madness, just plain stupidity or has the religion of “climate change,” no matter the costs, overruled all common sense? Whatever happened to the sound business idea of doing a cost-versus-benefits analysis before launching into massive new programs?

Bob Stucky

Montgomery

America’s Problem

To the editor:

A message to the church.

God's greatest problem is His only solution, and God's greatest solution is His only problem.

America is being judged, but why? It is not because of Hollywood, politicians, gay activists, liberals, etc. Lost people only know how to act one way — lost. The problem always begins and ends with God's people. The church isn't bad because of all the sin in America. America is in a mess because of all the sin in God's church. The problem with ancient Israel was not with the pagans all around. It is the state of the church that is God's problem.

“Judgment begins at the house of the Lord” (1 Pet 4:17).

We need revival, but revival always begins with God's people. It matters not your denomination; we are in the age of Laodicea. The church is lukewarm. This is why the church in recent decades has become so irrelevant. We have long been the tail and not the head.

The Bible teaches us why. When we cease to obey God, we lose God's blessing. God's people are not under His blessing because of sin in the church.

What is our sin? We have many. Let's start with self-righteousness. Just the simple fact that we are constantly thinking that someone else is the problem shows that we are not full of God's Spirit.

The closer we are to God means an awareness that He is very different from us. We may have His peace and joy, but our flesh never will be comfortable in His presence. The closer you are to God, the more you will be sensitive to sins in your life that you never thought of before. The more you will ask for His grace and power to change, the more He will give it.

Until the church can truthfully see and say “I am the problem,” then America will continue her slide into the Abyss. As a Christian, I am to focus on my sins. I will allow Him to convict me of my own lack. That is what the Holy Spirit came to do. John 16:8

“Weeping may endure for a night, but joy cometh in the morning” (Ps 30:5).

Jim Nimmons

modern farmer

FARM

FOOD

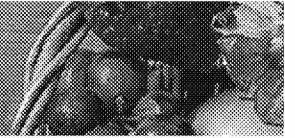
CULTURE

HANDBOOK

MAGAZINE

SHOP

overstock.com



NEXT POST >

The EPA's New Clean Water Rule And Why
Agribusiness Wants To Overturn It

Clean Water Rule and why Agribusiness Wants to Overturn It

By Brian Barth on July 13, 2015



On June 29, the EPA issued a final ruling on how to interpret a part of the Clean Water Act that has troubled farmers and ranchers ever since the landmark environmental legislation went into effect in 1972. The rule affirms the power of the EPA to regulate agricultural pollution in the nation's waterways, but it brushes up against longstanding battles over the rights of the federal government to regulate the use of private land. It is a step forward in improving the quality of the nation's water supply, but the American Farm Bureau Federation (AFBF) and a slew of other agricultural lobbyist groups have filed a legal complaint in hopes that the rule will never be implemented.

The rule, which is set to go into effect on August 8, is aimed at clarifying exactly which bodies of water the EPA has jurisdiction to regulate, a question that has produced a long series of court cases ever since the Clean Water Act (CWA) was adopted 43 years ago. Understanding the legal nuances involved in these ongoing battles requires first understanding the legal umbrella under which the water resources of the United States are held. "Waters of the United States" is a legal term that goes back to the U.S. Constitution and underlies the ideological battle being waged today.

The Commerce Clause in Article 1 of the Constitution says that the federal government has the right to govern interstate commerce, which, at the time of the drafting of the Constitution, took place primarily by way of rivers and lakes, since these were the original highways of the country. Thus all "navigable waters" were under the jurisdiction of the federal government in the same way that interstate highways are under federal jurisdiction today, rather than under state authority.



Raisin Grower Wins Supreme Court Battle



EPA Withdraws From Clean Water Case, Farm Bureau Declares Victory



Brave Farmer Battles State Department Of Agriculture Over Raw Milk



Is Someone Stealing Water From California's Delta?

Over time, commerce along waterways has diminished, but the concept of navigable waters has remained and is now broadly referred to as "Waters of the United States." The implication is that the federal government controls what happens to those waters—not private landowners and not the states—whether it has to do with commerce or not. That precedence formed the legal basis of the Clean Water Act, which empowered the EPA and Army Corps of Engineers to regulate how much pollution any property owner, business owner or government entity could discharge into the US waters. It's important to note that pollution is tolerated under the CWA, but it must be within certain limits.

The fact that the Clean Water Act was based on the navigable waters provision of the Commerce Clause has always been problematic. There is a lot of grey area in determining which waters are navigable and which are not. It's counterintuitive, but legally speaking, "navigable waters" means almost any trickle of a stream or tiny wetland. Two centuries of legal wrangling have led to this expanded concept, but it is still tough for

farmers, ranchers, loggers, mining companies, industrialists and real estate developers to digest. The logic behind the expanded definition flows from a basic, common sense fact: water flows downhill. The Clean Water Act is predicated on the need to assure the health of the entire watershed, which includes many smaller bodies of water—otherwise there is no way to keep larger bodies of water clean.

The problem, of course, is that all those smaller bodies of water cross private land, especially farmland. Try telling a farmer that they can't till their soil because it's going to wash off and cause sedimentation in a tiny stream on their land or that they can't graze cattle next to a brook running through their pasture because the manure is going to pollute the water. Many will say that it's unfair—how can they be expected to make a living? That's a valid point, which is why for many years the Clean Water Act focused on the most egregious polluters, such as wastewater treatment plants and heavy industries. After several decades of enforcement, however, the lowest hanging fruit in the world of polluters has been nabbed and the EPA has become more focused on applying the law to farmland. It's not that the consequences of agricultural pollution are minor—the infamous Gulf of Mexico dead zone and the toxic algae blooms of Lake Erie are two blatant examples of the havoc that farms can wreak—but it originates from many smaller bodies of water rather than from one source.

This brings us back to the current debate. The rule that the EPA recently established is not an addition to the Clean Water Act, it's a clarification of the original intent. It provides a scientific basis for assessing exactly which tributaries are waters of the United States based on the existing precedent that any body of water with a "significant nexus," or connection, to a navigable waterway is within their authority. This includes some ephemeral streams that only flow when it rains, as well as manmade ditches that divert the flow of perennial or ephemeral streams. In some cases it also extends to wetlands that are in the floodplain of other waterways. However, farmers have always been entitled to certain exemptions for the Clean Water Act for "normal" farming activities like tilling, grazing and mowing in the vicinity of waterways, even if those activities degrade water quality. In practice, the only farming activities that have been regulated under the Clean Water Act on a routine basis have been confined animal feeding operations (CAFOs). These exemptions will continue under the new rule, but farmers are worried that the door is now open to regulating other activities.

A media war has been waged between the EPA and the AFBF and their respective allies over the last year since the new rule was first proposed. Each side has directly contradicted the word of the other. The AFBF published a "Ditch the Rule" website attacking the illegality of the new rule, including a document that outlined what the rule "really" means, even though it "says" something completely different. The EPA countered with a document of its own, *Ditch the Myth*, which debunks the claims of the AFBF document, point by point.

The EPA says that some bodies of water have actually been removed from their jurisdiction by the wording of the new rule and others have been added, for a net gain of 3 percent. The other change included in the new rule is that farmers will now be required to implement EPA-specified conservation practices around any "waters of the U.S." that cross their land in order to maintain their exemptions. In the past, the conservation practices were encouraged, but optional.

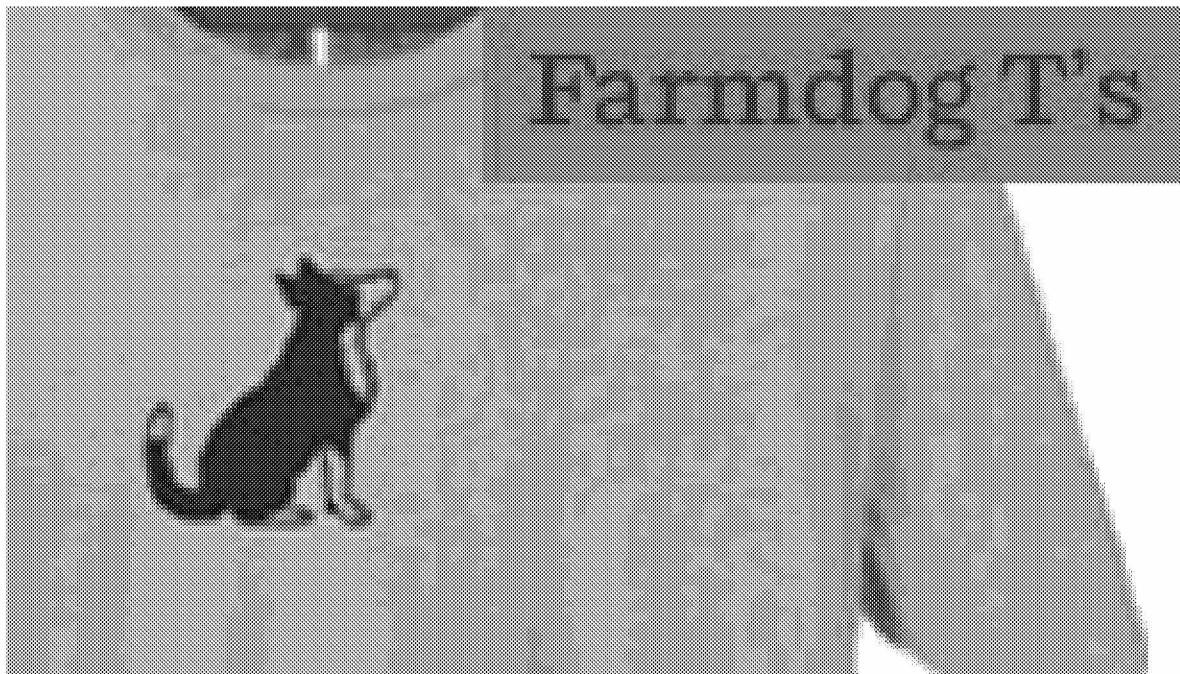
AFBF and other like-minded groups contend that the new rule expands the CWA far beyond its original intent and have supported legislation to repeal it before it goes into effect—which President Obama has vowed to veto. In reality, the substance of the CWA has not been changed, it has just been clarified so the EPA will have more solid footing to prevent agricultural pollution in the future. The rhetoric of some agribusiness groups implies that they are being punished purely for the normal work of farming. The truth is that the CWA only applies to polluters, not farmers that effectively steward their land. This has not been changed, it has only been affirmed.

FARM NEWS AMERICAN FARM BUREAU FEDERATION CLEAN WATER ACT DITCH THE MYTH DITCH THE RULE EPA

Related



Uncle Sam Wants You...to Farm National Parkland!



Modern Farm Dog T-shirts

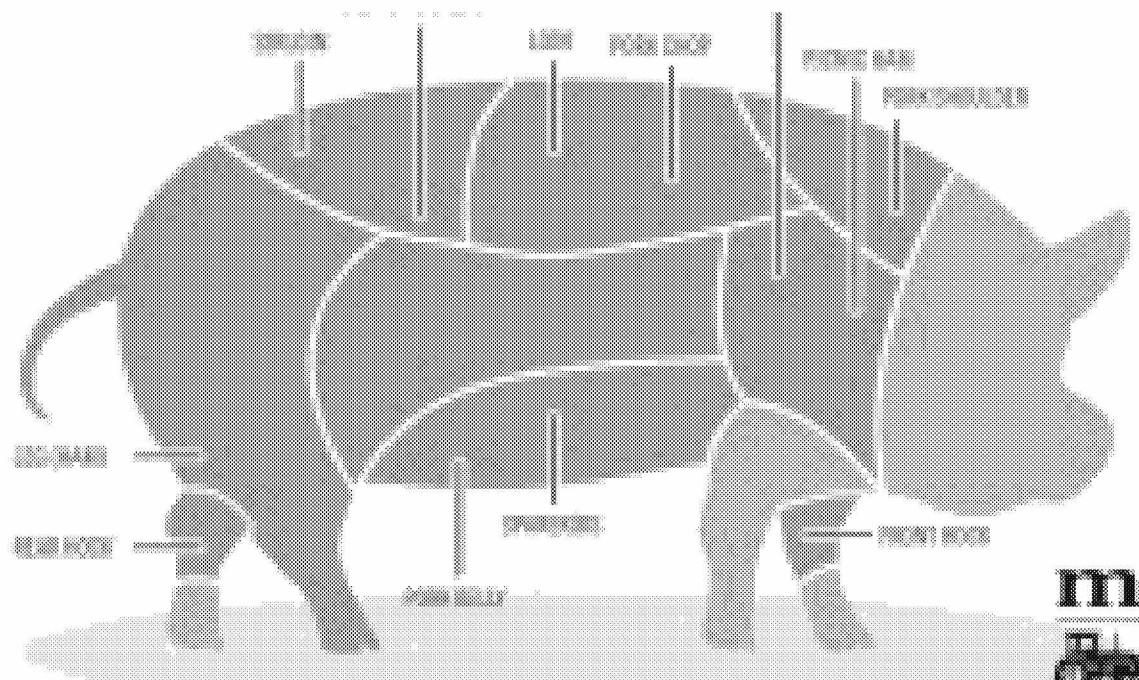


Kickstarting the Modern Farm



Modern Farmer Tractor T-shirts

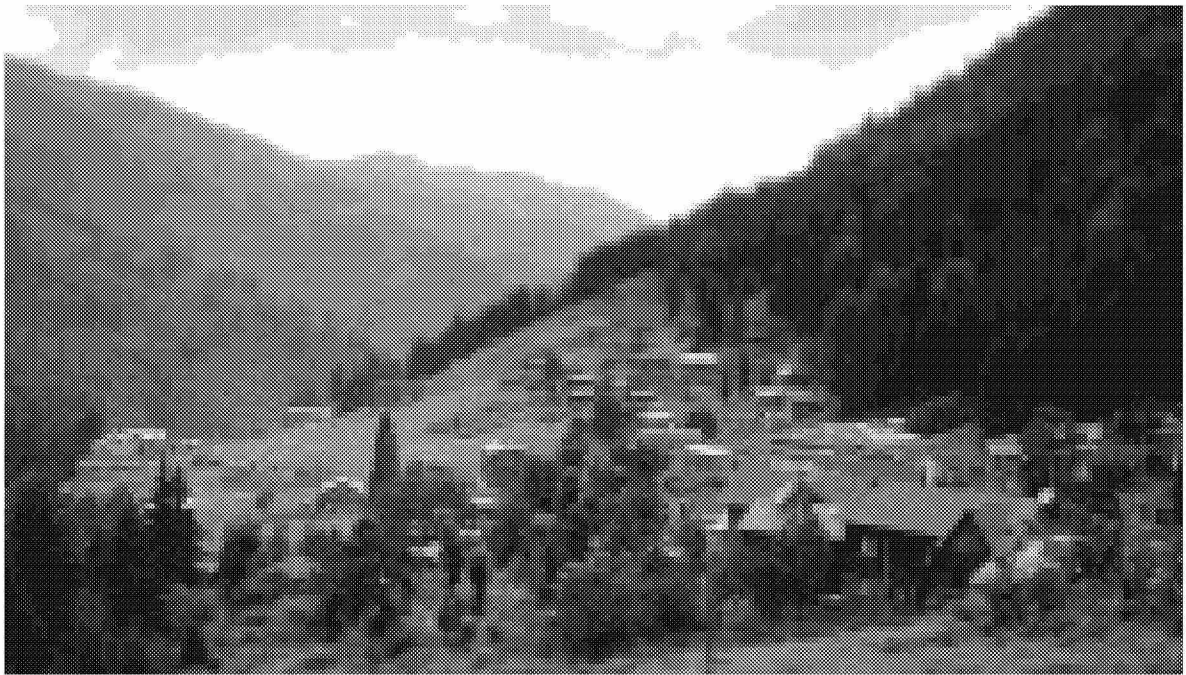
Popular



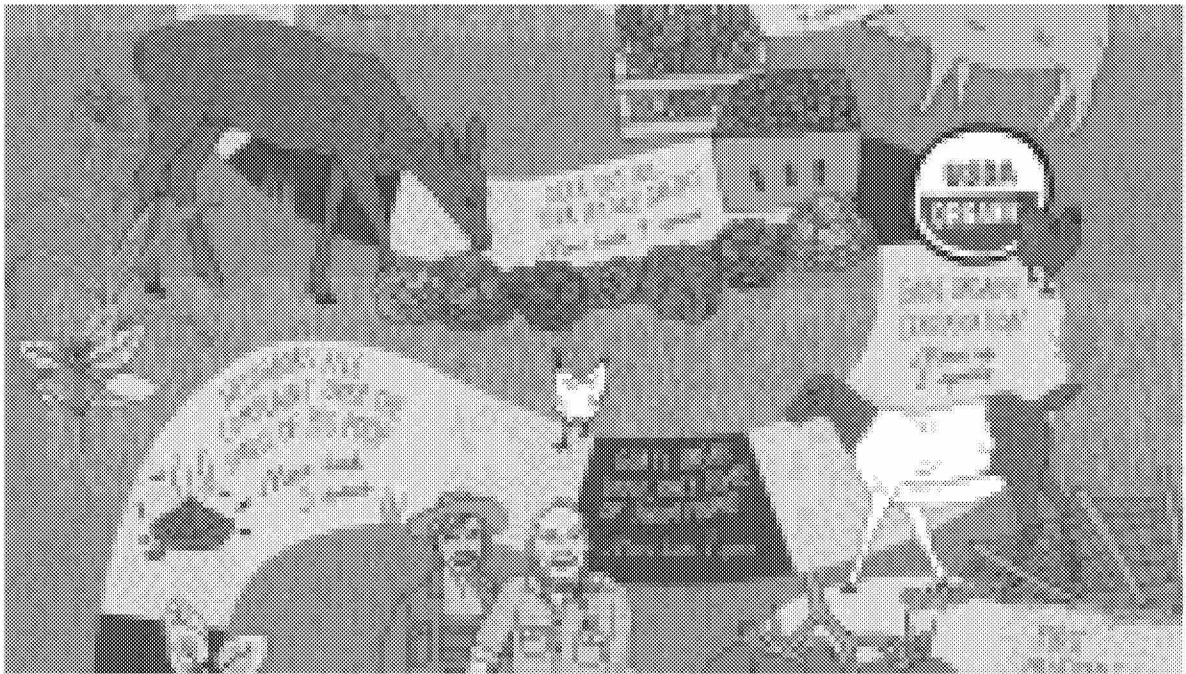
Pork 101: Know Your Cuts



No Goat Left Behind: Getting Americans to Eat Goat




The Strange History of 'Mad Honey'



So You Want To Be a Farmer...

Powered by

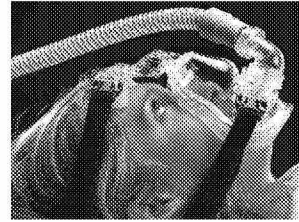
Sign up for our newsletter

MYSNORINGSOLUTION -  SPONSORED

Are You Snoring Yourself to Death?



Snoring is the most common symptom of a potentially serious health problem - obstructive sleep apnea (OSA)

[Learn More](#)



0 Comments Modern Farmer

 Login ▾

 Recommend  Share

Sort by Best ▾



Start the discussion...

Be the first to comment

 Subscribe  Add Disqus to your site  Privacy

Email

OK

Modern Farmer Media, 2015 [About Us](#) [Contact Us](#) [Submissions](#) [Press](#) [Advertise](#) [Privacy](#)
[Where to Buy](#) [Digital Login](#)